

**MINUTES OF THE COURT OF APPEAL  
STATE OF CALIFORNIA  
SECOND APPELLATE DISTRICT**

**February 24, 1999**

DIVISION ONE

Court convened at 9:00 A.M.

Present: Spencer, P.J., Ortega, J., Vogel (Miriam A.), J., Masterson, J., and Connie Hon, Deputy Clerk.

Each of the following:

B115828 Kalapos v. Bank of America  
B117262 People v. Patridge  
B119649 People v. Nava  
B121691 County of Los Angeles v. Thomas C.  
B122301 Crawley v. Cozy Kitchen & Bath  
B122743 DCFS v. Adelaido C.  
B123067 People v. Dent  
B127412 Gayle B. v. SCLA  
B123934 In Re Richard D. et al.

Argument waived, cause submitted.

B119423     Abrams  
              v.  
              State of California

Merits:

Argued by Albert J. Garcia for appellant and by Linda J. Vogel Deputy Attorney General for respondent. Cause submitted.

B124437     Friends Fellowship of America  
              v.  
              Melville

Merits:

Argued by Jo Ann McDole for appellant and by Steven J. Pope for respondent. Cause submitted.

DIVISION ONE (Continued)

B114534     Gray  
              v.  
              Huang et al.

Merits:  
Argued by William D. Evans for appellant and by Robert R. Roginson for respondents. Cause submitted.

B123974     Herman  
              v.  
              Los Angeles County MTA

Merits:  
Argued by Benjamin J. Sterling for respondent and there being no appearance for appellant. Cause submitted.

B117812     Utomakili  
              v.  
              Hudson Aviation Services, Inc. et al.

Merits:  
Argued by Nome Utomakili appellant in propria persona and by Larry G. Graham for respondent Hudson Aviation Services, Inc.; Douglas W. Larr for respondent Northwest Airlines and Douglas W. Larr appearing for amicus curiae waived oral argument. Cause submitted.

B118517     In re the Marriage of Kasnetsis  
              Kasnetsis  
              v.  
              Kasnetsis

Merits:  
Argued by Robert Burch for respondent and by William Curtis Barnes, Jr. for appellant. Cause submitted.

DIVISION ONE (Continued)

B121216      Sachs  
                 v.  
                 Columbia HCA Health Care Corporation et al.

Merits:  
Argued by Kenneth J. Sargoy for appellant and by Glen H. Mertens for respondents. Cause submitted.

B122764      Lichtig  
                 v.  
                 State of California

Merits:  
Argued by Steven Bradley Lichtig, appellant in propria persona and by L. Glen Seretan Deputy Attorney General for respondent. Cause submitted.

B126002      Century-National Insurance Company et al.  
                 v.  
                 Superior Court of Los Angeles County  
                 (Garlejo, r.p.i.)

Merits:  
Argued by Jules S. Zeman for petitioners and by Gary W. Dolinski for real party in interest. Cause submitted.

Justice Ortega leaves the bench.

B122299      Transportation Insurance Limited  
                 v.  
                 Shin Maywa Industries, Ltd.

Merits:  
Argued by Paul C. Workman for appellant and by Jeri Rouse Looney for respondent. Cause submitted.

Court adjourned.

DIVISION ONE (Continued)

B122743      Los Angeles County, D.C.S.      (Not for Publication)  
v.  
Adelaido C.

The orders sustaining the petition vis-à-vis Adelaido C. and the order that Adelaido C. submit for random drug testing are reversed and the cause is remanded to the dependency court with directions to conduct such further investigations and make such further orders as the court deems necessary and appropriate.

Vogel (Miriam A.), J.

We concur:   Ortega, Acting P.J.  
                 Masterson, J.

B119649      People      (Not for Publication)  
v.  
Lorenzo A. Nava

The judgment of conviction and the true findings on the allegations are affirmed; the sentence is vacated; and the cause is remanded to the trial court for resentencing and issuance of a new abstract of judgment.

Vogel (Miriam A.), J.

We concur:   Spencer, P.J.  
                 Masterson, J.

B117262      People      (Not for Publication)  
v.  
Terrance K. Patridge

The judgment is affirmed, and the cause is remanded to the trial court with directions to issue a corrected abstract of judgment.

Vogel (Miriam A.), J.

We concur:   Spencer, P.J.  
                 Ortega, J.

February 24, 1999-Continued

## DIVISION ONE (Continued)

B123067      People                                  (Not for Publication)  
v.  
Brian Keith Dent

The judgment is affirmed.

Vogel (Miriam A.), J.

We concur: Spencer, P.J.  
Masterson, J.

B127412      Gayle B. et al.      (Not for Publication)  
v.  
Superior Court, Los Angeles County  
(Los Angeles County Department of Children and Family Services, r.p.i.)

The petitions are denied.

Vogel (Miriam A.), J.

We concur: Spencer, P.J.  
Ortega, J.

B115828 Elizabeth Kalapos (Not for Publication)  
v.  
Bank of America National Trust and Savings Association

The March 13, 1997 orders declaring plaintiff to be a vexatious litigant and requiring her to post security in the amount of \$5,000 and the August 4, 1997 order dismissing the action are affirmed.

Masterson, J.

We concur: Spencer, P.J.  
Ortega, J.

### February 24, 1999-Continued

## DIVISION ONE (Continued)

B127281 Linda S. et al. (Not for Publication)  
v.  
Superior Court, Los Angeles County  
(Los Angeles County Department of Children and Family Services, r.p.i.)

The petitions are denied.

Masterson, J.

We concur: Spencer, P.J.  
Vogel (Miriam A.), J.

B122301 Katherine Crawley et al. (Not for Publication)  
v.  
Cozy Kitchen & Bath

The order is reversed and the trial court is directed to grant the motion to amend the judgment. Plaintiffs are entitled to costs on appeal.

Masterson, J.

We concur: Spencer, P.J.  
Ortega, J.

B121323 People (Not for Publication)  
v.  
Stephen Pascascio

The judgment is affirmed.

Masterson, J.

We concur: Spencer, P.J.  
Vogel (Miriam A.), J.

DIVISION ONE (Continued)

B129020      Mollywood Properties et al.                      (Not for Publication)  
                 v.  
                 Superior Court, Los Angeles County  
                 (Little Country Church of Hollywood et al., r.p.i.)

The Court:

THEREFORE, let a peremptory writ issue, in Los Angeles Superior Court case No. BC190049, entitled Little Country Church of Hollywood et al. v. Mollywood Properties et al., commanding respondent superior court to vacate its order of December 14, 1998, overruling petitioners' demurrers to the first and second causes of action to the First Amended Complaint, and to issue a new and different order sustaining the demurrers without leave to amend and dismissing the action in its entirety.

Spencer, P.J., Ortega, J., Masterson, J

DIVISION FOUR

B113489      People    (Not for Publication)  
                 v.  
                 Dixon

The judgment is affirmed.

Hastings, J.

We concur:    Vogel (C.S.), P.J.  
                 Curry, J.

DIVISION FIVE

B123080      Christa M. Hawkins, as Trustee, etc.      (Not for Publication)  
                 v.  
                 Donya Fletcher

The order is affirmed. Plaintiff, Christa M. Hawkins, is to recover her costs on appeal from defendant, Donya Fletcher.

Turner, P.J.

We concur:    Armstrong, J.  
                 Godoy Perez, J.

DIVISION SIX

B123182      People      (Not for Publication)  
                 v.  
                 Hernandez

The judgment is affirmed.

Yegan, J.

We concur:    Gilbert, Acting P.J.  
                 Coffee, J.

B114174      People      (Certified for Publication)  
                 v.  
                 Rizo & Macias

The convictions for violations of section 113 are vacated with directions to enter new judgments for attempted violations of felony section 113. As modified, the judgments are affirmed. The matters are remanded for resentencing.

Yegan, J.

We concur:    Gilbert, Acting P.J.  
                 Coffee, J.



DIVISION SIX (Continued)

B120456 Fairview Neighbors et al.  
v.  
County of Ventura et al.  
Transit Mixed Concrete Company

Filed order modifying opinion, (no change in the judgment) and granting request to publish opinion.

B122873 People (Not for Publication)  
v.  
Stanley

The judgment is affirmed.

Gilbert, Acting P.J.

We concur: Yegan, J.  
Coffee, J.

B123179 People (Not for Publication)  
v.  
Peterson

The judgment is affirmed.

Yegan, J.

We concur: Gilbert, Acting P.J.  
Burke, J. (Assigned)

B124174 People (Not for Publication)  
v.  
Claudio

The judgment is affirmed.

Yegan, J.

We concur: Gilbert, Acting P.J.  
Coffee, J.

## February 24, 1999-Continued

## DIVISION SIX (Continued)

B126134 People v. Stafford (Not for Publication)

The judgment is affirmed.

Coffee, J.

We concur:   Gilbert, Acting P.J.  
                      Yegan, J.

## DIVISION SEVEN

B112824      Sojka      (Not for Publication)  
v.  
Zee

The judgment is reversed and remanded to the trial court for further proceedings. Each side shall bear its own costs on appeal.

Neal, J.

I concur: Lillie, P.J.  
I dissent: Woods, J.(Opinion)

[illegible]

The judgment is affirmed.

Johnson, J.

We concur:   Lillie, P.J.  
                      Neal, J.

DIVISION SEVEN (Continued)

B116314      Hayempour                      (Not for Publication)  
                 v.  
                 Lerner

The summary judgment is reversed and the cause is remanded for further proceedings consistent with this opinion. Appellants to recover their costs of appeal.

Johnson, J.

We concur: Lillie, P.J.  
                 Woods, J.

B121482      City National Bank              (Not for Publication)  
                 v.  
                 EM Genuine Leather Goods & Manufacturing Corp.

The order granting relief is reversed, and the matter is remanded to the superior court with directions to reenter the default judgment it set aside. Appellant to recover costs on appeal.

Woods, J.

We concur: Lillie, P.J.  
                 Johnson, J.

B118282      Carson Harbor Village, Ltd.              (Certified for Publication)  
                 v.  
                 City of Carson Mobilehome Park Rental Review Board

The judgment of the trial court denying the writ of administrative mandate is affirmed. Respondent is awarded costs on appeal.

Boland, J. (Assigned)

We concur: Woods, Acting P.J.  
                 Neal, J.